

Date Application Received: 8-6-20

Application # _____

Fee Paid: _____

**CITY OF MILLVILLE
ZONING BOARD OF ADJUSTMENT**

APPLICATION FORM

Please type or print all information

1. Application Information

Name: KEA Enterprises, LLC

Address: 2348 Millville Avenue

City Millville State NJ Zip 08332

Phone 856-765-1395

2. Applicant's Attorney Information

Name Dean R. Marcolongo, Esquire

Address 402 Park Avenue

City Marmora State NJ Zip 08223

Phone 609-743-6264 FAX marcolongo402@gmail.com

3. Property Information

Street Address 116 East Mulberry Street

Block 367 Lot 4 Zone B-3

Lot Area 14,745 sq Frontage 66' Depth 231'

4. The appropriate Plan has been filed with the Secretary of the Zoning Board of Adjustment of the City of Millville which may be examined at the Office of the Secretary on the 5th floor of City Hall 12 S. High Street, Millville, New Jersey between the hours of 8:30 AM and 4:30 PM Monday through Friday. The map or sketch indicates the existing locations of boundary lines and structures and the changes requested to be granted herein by this Application.

5) The present use of the land is Mixed-use Building

6) Description of proposed use or change to the property _____

Residential Triplex

7) The changes requested (~~are~~/are not) (circle one) permitted in this zone by the Development Regulations of the City of Millville. If permitted, set forth the Section of the Regulation by which such use is permitted.

Such use is permitted: _____

8) Type of Variance requested:

A B C D (Circle appropriate variance type)

9) Set forth reasons why the Zoning Board of Adjustment should grant your application. Specify in detail all facts and reasons you intend to rely upon in support of the request.

SEE ATTACHED NARRATIVE

10) Date(s) and result(s) of any previous applications(s) to this Board for the above described property.

A. N/A B. _____ C. _____

11) A hearing on this Application will take place at 6:30 PM on 9/3/20 in the 4th floor Richard C. McCarthy Commission Chambers in Millville City Hall, 12 S. High Street, Millville, New Jersey.

X

Signature of Applicant(s)

8/6/20
Date

THIS IS TO CERTIFY THAT NO TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS ARE DUE OR DELINQUENT ON THE PROPERTY IN QUESTIONS – if applicable.

X

Signature of Tax Collector

Date

DISCLOSURE STATEMENT

(If applicant is a corporation or partnership)

NAME OF DEVELOPMENT

APPLICATION

KEA Enterprises, LLC

- A. Is this application to subdivide a parcel or parcels of land into six (6) or more lots?
YES _____ NO XXX
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
YES _____ NO XXX
- C. Is this application for approval of a site or sites to be used for commercial purposes?
YES _____ NO XXX

IF ANY OF THE ABOVE ANSWERS WERE YES, PROCEED TO D. IF NOT, SIGN AND SUBMIT

- D. Is the applicant a corporation or partnership?
YES _____ NO _____

IF YES:

1. List the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be
(Use extra sheets if necessary)

2. Does a corporation or partnership own 10% or more of the stock of this corporation or partnership? of any class or at least 10% of the interest in the partnership, as the case may be
(Use extra sheets if necessary)

YES _____ NO _____

IF YES:

List the names and addresses of the stockholders of that corporation holding 10% or more of the stock or of 10% or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners exceeding 10% ownership criterion established in L. 1997, C.336 have been listed (Use extra sheets if necessary).

DATE: 8/6/20 APPLICANT: Jeffrey Bishop, President

SIGNATURE: _____

KEA Enterprises, LLC is the owner of property located at Block 367, Lot 4 on the municipal tax map of the City of Millville, commonly known as 116 E. Mulberry Street, Millville, NJ. Said property is located in the City's B-3 zoning district. In 2014 the property was severely damaged by fire, and the Applicant purchased same in 2015 with the intent of selling the real estate to the College for additional parking.

Unfortunately, no sale to the college could be negotiated. When the applicant began receiving violation notices from the City, they decided to change course and renovate the building. The Applicant spent approximately \$206,000 to renovate the structure into a mixed-use building with an original slate roof. The building was developed as a 1,926 square foot commercial unit of the first floor and a 1,640 square foot residential unit of the second floor. This structure was fully compliant with the City's zoning ordinance and the applicant received a Certificate of Occupancy for same.

After the renovations were completed, the applicant marketed it for sale with several realtors. They were advised that the most they could expect to sell the property for was \$140,000. With that information, the applicant decided to simply rent the units and enjoy the monthly income.

Although the Applicant was able to rent the second-floor unit, there has been no serious interest in the commercial unit. After marketing the property for more than a year with local realtors, only 2 persons expressed any interest in the unit and both of them eventually rented commercial space in Vineland.

It has become clear to the Applicant that given the volume of empty commercial units in center city Millville and the limited number of commercial enterprises seeking smaller commercial units in this area, the only viable use of the property is to convert the first-floor unit into two residential units. The first-floor front unit would be a spacious two-bedroom ADA complaint unit with 1,007 square feet of living space. The first-floor rear unit would be a 916 square foot one-bedroom apartment.

A firewall had already been installed between the first and second floor and the applicant proposes to install a second fire wall between the two first floor resident units. The property has 9 full-sized parking spaces in the rear which more than satisfies the zoning ordinance requirements.

The property is located in the B-3 zone which does permit residential units located above commercial uses when occupied by the owner, manager or and employee of the commercial use so long as the unit is not less than 850 square feet and there are not more than 8 units. See Zoning Ordinance Section 30-218(B)(7).

Accordingly, the applicant comes before this Board for the following variance relief:

1. A D-1 "Use" Variance for a use not permitted in a zone; specifically, a Triplex in a B-3 Zone;
2. Minor Site Plan Approval;
3. Technical "C" Variances for existing non-conforming conditions;
4. Relief for any and all variance, waiver or exceptions deemed necessary and proper by the Zoning Board and its professionals.

With regard to the D-1 Use variance, the Applicant asserts that there exist several SPECIAL REASONS pursuant to NJSA 40:55D-2 upon which the Board can grant said variance relief, specifically;

- 1) (a) To encourage municipal action to guide the appropriate use for development of all lands in the State in a manner that will promotes the public health, safety, morals and general welfare;
- 2) (c) To provide for adequate light, air and open space;
- 3) (e) To promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons, neighborhoods, communities and regions...;
- 4) (g) To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space....;
- 5) (i) To promote a desirable visual environment...;

The Applicant asserts that the renovation of the property from a burned-out structure into a fresh, clean and code-complaint building in the center city area has and will continue to promote the public health safety and general welfare of the community. Increasing the availability of residential units in this area also helps establish the necessary population to support nearby commercial enterprises.

The buildings footprint was not expanded during the renovations. It occupies only a small portion of the lot and is well within lot area requirements. The lot is large enough to contain 9 off-street parking spaces. These conditions promote adequate light, air and open space.

The lot and building can easily accommodate the proposed density resulting from a Triplex. In fact, the zoning ordinance permits hotels and motels as conditional uses in this zone. Many permitted commercial uses in this zone result in a higher number of people and traffic to the lot and the neighborhood.

The proposed use is an appropriate location in the City of Millville. It is located between two single family dwellings, so a residential use is not foreign to this location. In fact, the prior use of the building was a duplex. If this property was located one block to the east, a triplex would be permitted.

The renovation of the burned-out building has resulted in an attractive code-compliant structure that is aesthetically beneficial to the neighborhood and one the city can be proud to have at this location. The historical slate roof is a wonderful addition to the façade. Simply put, this building does promote a desirable visual environment.

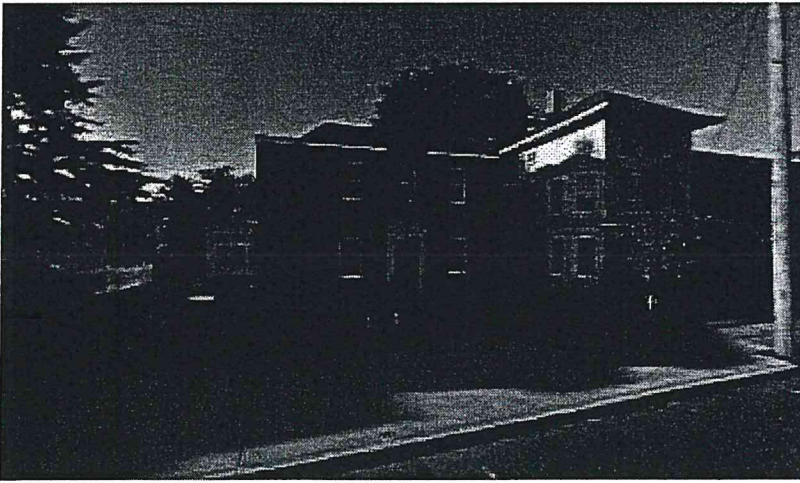
For all of these reasons, the Applicant believes that Special Reasons exist for the granting of a D-1 Use Variance to permit a Triplex in the B-3 zone at this location.

Finally, for all of the reasons set forth above, the Applicant believes that the relief requested can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and zoning ordinance. The Applicant asserts that the proposed use will result in a positive impact to the public good and as residential uses already exist in this zone and nearby, there will be no impact at all on the zoning plan and zoning ordinance.

Google Maps 116 E Mulberry St



Map data ©2020 Google 200 ft



116 E Mulberry St

Millville, NJ 08332



Directions



Save



Nearby



Send to your phone



Share

Google Maps 115 E Mulberry St

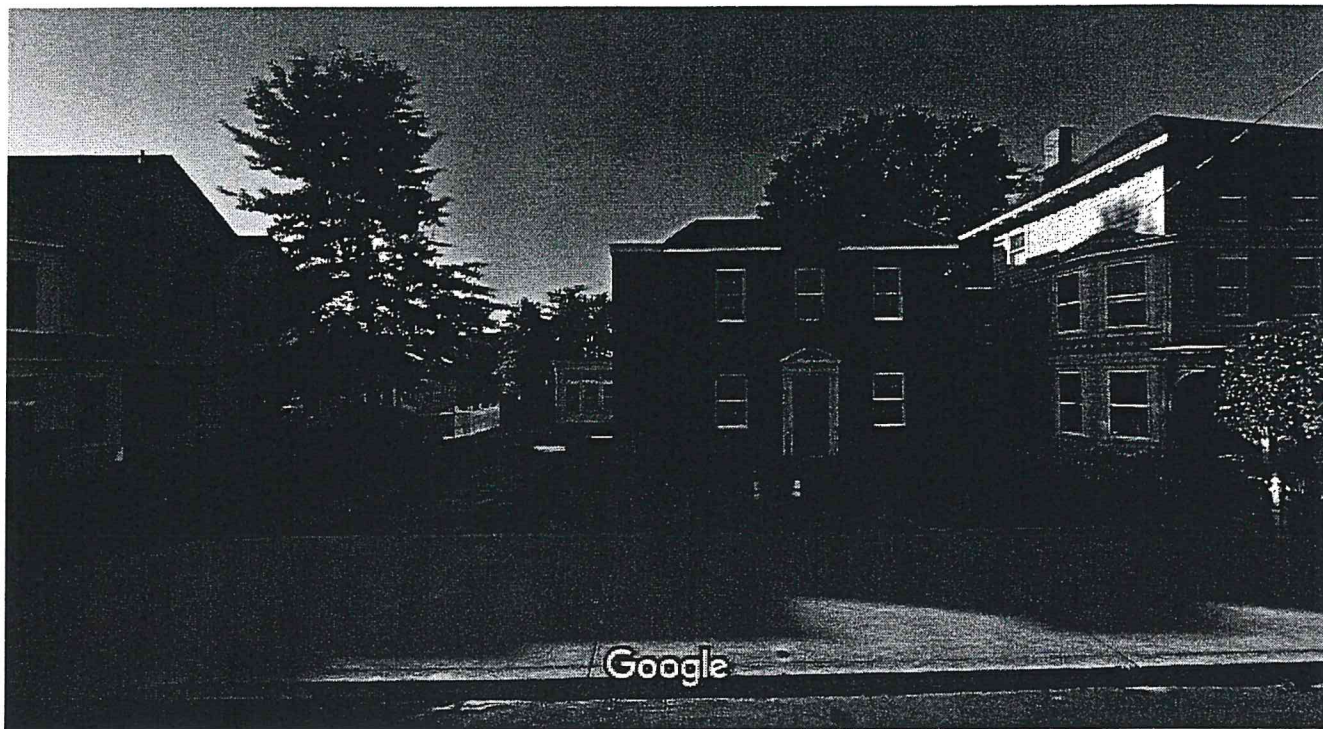


Image capture: Aug 2018 © 2020 Google

Millville, New Jersey

Google

Street View



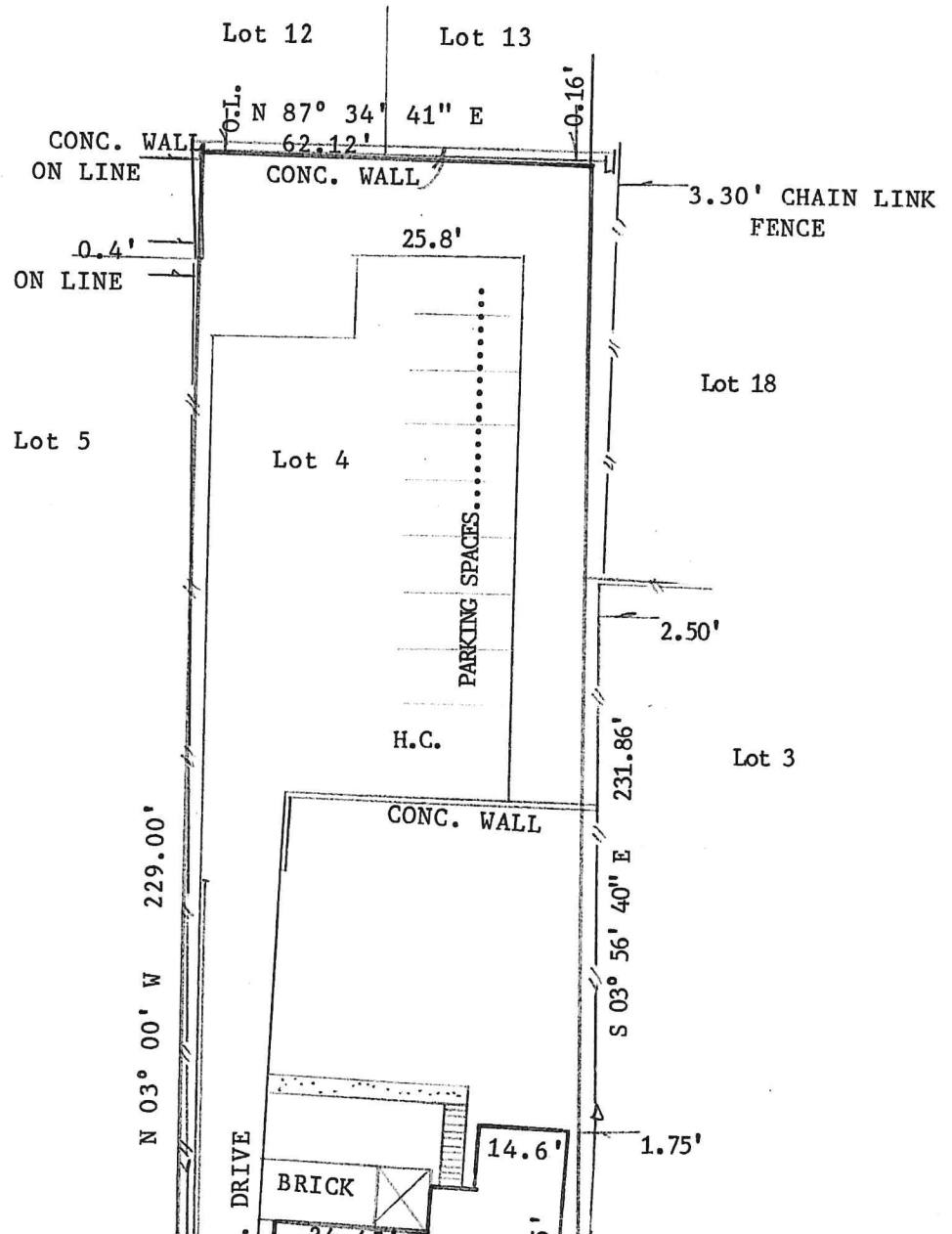
NOTE: UNDER AND SUBJECT TO ALL CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD, WHERE APPLICABLE MERIDIAN-DEED BASE TAX MAP BASE PLAN BASE FORMER SURVEY BASE

DESCRIPTION: BEING KNOWN AS LOT 4, BLOCK 367 ON THE OFFICIAL TAX MAP: AREA = 14,745.5± S.F.

● = REBAR/IRON PIPE SET

■ = CONCRETE MONUMENT SET

R E E T 66' WIDE





**AL FLOYD & SON
LAND SURVEYING**



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ELMER, NJ 08318
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Fax: 856-358-6565

alfloydssurveying@gmail.com

MAY 28, 2020
METES AND BOUNDS DESCRIPTION 20-0370
NO. 116 MULBERRY STREET
MILLVILLE, NEW JERSEY

ALL THAT CERTAIN TRACT OR PARCEL OF LAND AND PREMISES SITUATE IN THE CITY
OF MILLVILLE, COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF MULBERRY STREET, 66' WIDE,
A DISTANCE OF 230.64 FEET NORTHEASTWARDLY FROM A POINT IN THE NORTHEASTERLY LINE
OF HIGH STREET, 66' WIDE, BOUNDED AND DESCRIBED AS FOLLOWS:

THENCE (1) NORTH 03 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE DIVISION
LINE BETWEEN LOT 4, AND LOT NOS. 5 AND 12, BLOCK 367 ON THE OFFICIAL TAX MAP, A DIS-
TANCE OF 229.00 FEET TO A POINT AND CORNER;

THENCE (2) NORTH 87 DEGREES 34 MINUTES 41 SECONDS EAST ALONG THE DIVISION LINE
BETWEEN LOT 4 AND LOT NOS. 12 AND 13, SAID BLOCK, A DISTANCE OF 62.12 FEET TO A POINT
AND CORNER;

THENCE (3) SOUTH 03 DEGREES 56 MINUTES 40 SECONDS EAST ALONG THE DIVISION LINE
BETWEEN LOT 4 AND LOT NOS. 18 AND 3, SAID BLOCK, A DISTANCE OF 231.86 FEET TO A POINT
AND CORNER/CUT CROSS;

THENCE (4) DUE WEST ALONG THE NORTHWESTERLY LINE OF MULBERRY STREET, A DIS-
TANCE OF 66.00 FEET TO THE POINT AND PLACE OF BEGINNING;

BEING KNOWN AS LOT 4, BLOCK 367 ON THE OFFICIAL TAX MAP;

AREA=14,745.5+/- S.F.